



FOR IMMEDIATE RELEASE – December 17, 2010  
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### **INPUT NEEDED ON MEDICAL MARIJUANA RULES**

With less than four months before the deadline of April 13, 2011, ADHS is seeking input from all Arizonans on the implementation of Proposition 203. The informal draft rules for public comment have now been posted by the Department. These rules outline several critical control points in the Arizona Medical Marijuana Act. The intent of the informal draft rules is to ensure patients whose physician recommends the use of marijuana are able to obtain it. However, non-medical use or abuse of the substance is strictly prohibited.

“We are using the Initiative as a guideline to set up a system that is good for all the people in Arizona – those who voted yes and those who voted no,” said Will Humble, ADHS Director. “We really need everyone’s input to make this work, because everyone will be affected by it, whether they use medical marijuana or not.”

One key critical control point revolves around the doctor-patient relationship. In the informal draft rules, the state requires a physician to have seen a patient four times in the previous year before recommending medical marijuana or have primary responsibility for the routine care of a patient in an ongoing relationship.

Another critical control point of the initial draft rules is the requirement for a medical director for dispensaries. According to the rules, the medical professional would oversee the distribution of educational materials about drug interaction and safe use of medical marijuana. The informal draft rules also include residency requirements for the owners of dispensaries.

“We worked hard to cover many critical control points in the informal draft rules,” said Tom Salow, ADHS Administrative Counsel and Rules Manager. “But we know people out there will see gaps or have a better way to set up the rules and we want to hear from them.”

The [informal draft rules](#) and an [electronic comment](#) form are available on [www.azdhs.gov/prop203](http://www.azdhs.gov/prop203) until January 7<sup>th</sup>. Comments made will be incorporated into the Draft Rules which will be published on January 31, 2011.



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## FAQs for General Public

**How can I get a qualified patient card to use medical marijuana?** The informal draft rules would require qualified patients to have an on-going relationship with a physician (medical doctor, osteopath, naturopath, homeopath) who diagnoses the patient with certain conditions. On-going means the physician has seen the patient at least 4 times in one year or is beginning a course of treatment and will continue to treat the patient. According to the informal draft rules, the physician will need to initial the type of relationship they have with the patient and sign an affidavit when recommending medical marijuana.

**Where will I be able to use medical marijuana?** According to the informal draft rules qualified patients can smoke medical marijuana in their homes, not in a public place. They will be able to consume marijuana-infused edibles in public, but must ensure the safety of the edibles.

**How will I know if I'm getting medical marijuana?** The informal draft rules would require labels on all products sold, marijuana or products containing marijuana to have specific information about where the marijuana came from, amount and strain, date of manufacture and a list of chemical additives, among other things. Edible products with marijuana must have an additional statement about safety and oversight.

**Will dispensaries be selling candy and brownies with marijuana?** According to informal draft rules, dispensaries are allowed to sell edible products made with medical marijuana. They must be produced in a licensed food establishment.

**Will there be people growing medical marijuana in my neighborhood?** The law provides for qualified patients, caregivers and dispensaries to grow marijuana. Dispensaries must follow local zoning rules. Qualified patients and caregivers may grow marijuana when they live more than 25 miles from a dispensary. Anyone who grows medical marijuana must do so in an enclosed area; if not inside a building, then surrounded by a tall fence with a barrier across the top.

**What security will a dispensary have to provide?** The informal draft rules would require dispensaries to provide a detailed security plan that includes intrusion protection, exterior lighting, and electronic monitoring that allows authorized 24/7 virtual access by the Department.

**Are dispensaries just a place for people to buy medical marijuana?** According to the informal draft rules, dispensaries must provide information as well as the medical marijuana. The informal draft rules require dispensaries to have a medical director on call whenever they are open; the medical director is a licensed MD or DO who cannot write recommendations for medical marijuana, but ensures educational materials are provided for patients about drug interaction, safe techniques for use, and information about substance abuse programs.

**Will anyone be able to open a dispensary?** The informal draft rules would require all applicants for a dispensary license to have lived in Arizona for two consecutive years prior to application and pass a background check.

**How will dispensaries get the marijuana they sell?** According to the informal draft rules all licensed dispensaries in Arizona will be required to grow 70% of the marijuana sold. The rest must come from either qualified patients, caregivers or other licensed dispensaries. The informal draft rules require dispensaries to have an efficient inventory control program that tracks where all marijuana sold was grown and to whom it was sold.

**How much will it cost to have a card or own a dispensary?** According to informal draft rules, people would pay:

- Qualified Patients pay \$150 for initial and renewal cards.
- Designated Caregivers pay \$200 for initial and renewal cards.
- Dispensaries pay \$5,000 for initial, \$1,000 for renewal and \$2,500 to change the location of a dispensary or grow facility.

**What if I don't like the informal draft rules or have a better idea?** If you are concerned about local regulations, please contact your city or county. However, please [contact ADHS](#) if you have constructive criticism or ideas for the state rules.